

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) Docket No. 2:23-cr-00014-cr
RUSSELL MITCHELL,)
Defendant.)

MOTION FOR DETENTION

NOW COMES the United States of America, by and through its attorney, Nikolas P. Kerest, United States Attorney for the District of Vermont and moves for pretrial detention of the above-named defendant pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility for Detention. This defendant is eligible for detention because the case involves an offense under the Controlled Substances Act for which a maximum term of imprisonment of ten years or more is prescribed. *See* 18 U.S.C. § 3142(f)(1)(C).

2. Reason For Detention. The Court should detain the defendant because there are no conditions of release which will reasonably assure the safety of any other person and the community.

3. Rebuttable Presumption. The United States will invoke the rebuttable presumption against defendant under § 3142(e). The presumption applies because there is probable cause to believe the defendant committed a drug offense punishable by more than 10 years.

4. Time For Detention Hearing. The United States requests the Court conduct the detention hearing upon completion of the pretrial services report.

Dated at Burlington, in the District of Vermont, August 7, 2023.

Respectfully submitted,

NIKOLAS P. KEREST
United States Attorney

By:

Zachary B. Stendig
Assistant U.S. Attorney
P.O. Box 570
Burlington, VT 05402-0570
(802) 951-6725